

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JIM BOGNET, DONALD K. MILLER,
DEBRA MILLER, ALAN CLARK, AND
JENNIFER CLARK,

Plaintiffs,

v.

VERONICA DEGRAFFENREID,¹ in her
capacity as Acting Secretary of the
Commonwealth of Pennsylvania, ADAMS
COUNTY BOARD OF ELECTIONS,
ALLEGHENY COUNTY BOARD OF
ELECTIONS, ARMSTRONG COUNTY
BOARD OF ELECTIONS, BEAVER
COUNTY BOARD OF ELECTIONS,
BEDFORD COUNTY BOARD OF
ELECTIONS, BERKS COUNTY BOARD
OF ELECTIONS, BLAIR COUNTY
BOARD OF ELECTIONS, BRADFORD
COUNTY BOARD OF ELECTIONS,
BUCKS COUNTY BOARD OF
ELECTIONS, BUTLER COUNTY BOARD
OF ELECTIONS, CAMBRIA COUNTY
BOARD OF ELECTIONS, CAMERON
COUNTY BOARD OF ELECTIONS,
CARBON COUNTY BOARD OF
ELECTIONS, CENTRE COUNTY BOARD
OF ELECTIONS, CHESTER COUNTY
BOARD OF ELECTIONS, CLARION
COUNTY BOARD OF ELECTIONS,
CLEARFIELD COUNTY BOARD OF
ELECTIONS, CLINTON COUNTY
BOARD OF ELECTIONS, COLUMBIA
COUNTY BOARD OF ELECTIONS,
CRAWFORD COUNTY BOARD OF
ELECTIONS, CUMBERLAND COUNTY

Case No. 3:20-cv-215

JUDGE KIM R. GIBSON

¹ The caption is updated to reflect that Kathy Boockvar is no longer the Secretary of State of the Commonwealth of Pennsylvania and she has been replaced by Veronica Degraffenreid who is the Acting Secretary of State of the Commonwealth of Pennsylvania.

BOARD OF ELECTIONS, DAUPHIN)
COUNTY BOARD OF ELECTIONS,)
DELAWARE COUNTY BOARD OF)
ELECTIONS, ELK COUNTY BOARD OF)
ELECTIONS, ERIE COUNTY BOARD OF)
ELECTIONS, FAYETTE COUNTY)
BOARD OF ELECTIONS, FOREST)
COUNTY BOARD OF ELECTIONS,)
FRANKLIN COUNTY BOARD OF)
ELECTIONS, FULTON COUNTY BOARD)
OF ELECTIONS, GREENE COUNTY)
BOARD OF ELECTIONS,)
HUNTINGDON COUNTY BOARD OF)
ELECTIONS, INDIANA COUNTY)
BOARD OF ELECTIONS, JEFFERSON)
COUNTY BOARD OF ELECTIONS,)
JUNIATA COUNTY BOARD OF)
ELECTIONS, LACKAWANNA COUNTY)
BOARD OF ELECTIONS, LANCASTER)
COUNTY BOARD OF ELECTIONS,)
LAWRENCE COUNTY BOARD OF)
ELECTIONS, LEBANON COUNTY)
BOARD OF ELECTIONS, LEHIGH)
COUNTY BOARD OF ELECTIONS,)
LUZERNE COUNTY BOARD OF)
ELECTIONS, LYCOMING COUNTY)
BOARD OF ELECTIONS, MCKEAN)
COUNTY BOARD OF ELECTIONS,)
MERCER COUNTY BOARD OF)
ELECTIONS, MIFFLIN COUNTY BOARD)
OF ELECTIONS, MONROE COUNTY)
BOARD OF ELECTIONS,)
MONTGOMERY COUNTY BOARD OF)
ELECTIONS, MONTOUR COUNTY)
BOARD OF ELECTIONS,)
NORTHAMPTON COUNTY BOARD OF)
ELECTIONS, NORTHUMBERLAND)
COUNTY BOARD OF ELECTIONS,)
PERRY COUNTY BOARD OF)
ELECTIONS, PHILADELPHIA COUNTY)
BOARD OF ELECTIONS, PIKE COUNTY)
BOARD OF ELECTIONS, POTTER)

COUNTY BOARD OF ELECTIONS,)
 SCHUYLKILL COUNTY BOARD OF)
 ELECTIONS, SNYDER COUNTY BOARD)
 OF ELECTIONS, SOMERSET COUNTY)
 BOARD OF ELECTIONS, SULLIVAN)
 COUNTY BOARD OF ELECTIONS,)
 SUSQUEHANNA COUNTY BOARD OF)
 ELECTIONS, TIOGA COUNTY BOARD)
 OF ELECTIONS, UNION COUNTY)
 BOARD OF ELECTIONS, VENANGO)
 COUNTY BOARD OF ELECTIONS,)
 WARREN COUNTY BOARD OF)
 ELECTIONS, WASHINGTON COUNTY)
 BOARD OF ELECTIONS, WAYNE)
 COUNTY BOARD OF ELECTIONS,)
 WESTMORELAND COUNTY BOARD)
 OF ELECTIONS, WYOMING COUNTY)
 BOARD OF ELECTIONS, AND YORK)
 COUNTY BOARD OF ELECTIONS,)
)
 Defendants,)
)
 and)
)
 DEMOCRATIC NATIONAL)
 COMMITTEE,)
)
 Intervenor-Defendant.)

MEMORANDUM ORDER

The Court *sua sponte* considers the status of the above captioned case. On October 28, 2020, the Court denied Plaintiff's Motion for a Temporary Restraining Order ("TRO") and Preliminary Injunction. (ECF No. 77) On November 13, 2020, the Court of Appeals for the Third Circuit upheld the Court's denial of a TRO and Preliminary Injunction. *Bognet v. Sec'y Commonwealth of Pa.*, 980 F.3d 336 (3d Cir. 2020). Thereafter, the Supreme Court granted Bognet's petition for a writ of certiorari, vacated the judgment, and remanded the case to the Third Circuit

“with instructions to dismiss the case as moot.” *Bognet v. Degraffenreid*, No. 20-740, 2021 WL 1520777, (U.S. Apr. 19, 2021). On June 2, 2021, the Third Circuit issued a Judgment Order dismissing the appeal as moot. *Bognet v. Sec’y Commonwealth of Pa.*, 849 F. App’x 37 (3d Cir. 2021).

Accordingly, this 19th day of July, 2021, being in receipt of the Judgment of the United States Court of Appeals for the Third Circuit, **IT IS HEREBY ORDERED** that this case be **DISMISSED** as **MOOT**. The Clerk of Court shall mark this case as closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON
UNITED STATES DISTRICT JUDGE